

ATTACHMENT 6

Buffer Yard Waivers and Modifications

Comment: During the Board of Supervisors and Planning Commission work sessions, Staff was directed to prepare an amendment to the Buffer Yard and Screening requirements to allow for an administrative modification or waiver for school uses for the purpose of addressing security concerns potentially caused by the Screening requirements.

5-1409

Buffer Yard Waivers and Modifications. Buffer yard requirements may be waived or modified by the Zoning Administrator in any of the following circumstances. The Zoning Administrator may attach conditions to any waiver or modification in order to assure that the results of the waiver or modification will be in accordance with the purpose and intent of this Section.

- (A) Where the strict provisions of this Section would reduce the usable area of a lot configuration or size to a point which would preclude a reasonable use of the lot, buffer yards may be waived, reduced and/ or modified by the Zoning Administrator, upon showing that the building and/or the yard has been designed to minimize adverse impact through a combination of architectural, landscape and/or other design techniques.
- (B) The Zoning Administrator may waive, reduce and/or modify buffer yard requirements if in his opinion the topography of the lot providing the buffer yard and the lot being protected is such that the required buffer yard would not be effective.
- (C) The Zoning Administrator may waive, reduce and/or modify buffer yard requirements for single family attached dwelling units where a six (6) foot permanent fence has been provided to enclose a privacy yard (for rear yards and side yards) and such fence is architecturally designed and coordinated with landscape techniques to minimize adverse impact to adjacent properties.
- (D) The Zoning Administrator may waive, reduce or modify buffer yard requirements for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.
- (E) Buffer Yard Exceptions. When a land use is proposed adjacent to a lake, wetland, or other natural area, which is to remain undeveloped, and which is at least three hundred (300) feet in width, the Zoning Administrator may waive, reduce, and/or modify the buffer requirements provided the intent of these regulations are preserved.
- (F) The Zoning Administrator may waive, reduce and/or modify buffer yard

1 requirements for side and rear yards where lots zoned MR-HI, GB, PD-IP,
2 PD-GI, MR-HI or CLI abut, upon finding that such waiver, reduction
3 and/or modification is designed to complement proposed development of
4 existing or proposed uses. In any case, a screen wall of a minimum six (6)
5 foot in height or buffer yard shall be constructed where such side or rear
6 yard is visible from the public right-of-way.

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8 (G) The Zoning Administrator may waive, reduce and/or modify buffer
9 requirements for a telecommunications monopole which is co-located on a
10 facility which is owned or controlled by a public use or fire and/or rescue
11 company, or in areas planned or zoned for employment and industrial uses
12 where such use is permitted by right, provided the site is architecturally
13 designed and coordinated with landscape techniques to minimize adverse
14 impacts to adjacent properties.

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16 (H) The Zoning Administrator, upon recommendation by the Loudoun County
17 Sheriff's office, may waive, reduce or modify the screening requirements
18 for any school use, upon finding that the screening requirements obstruct
19 visibility and create a security concern.
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